

REMARKS

Claims 1-26 are pending in this application. Claims 1-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Provisional Patent Application No. 60/481,555—Crawford and U.S. Patent No. 6,386,973—Yoseloff. This reason for rejection is respectfully traversed. Claims 1-3, 4, 5, 7, 8, 10, 19 and 20-21 have been amended. In view of these amendments and for the reasons that follow, it is respectfully submitted that this application is now in a condition to be allowed. Reconsideration of this application is therefore respectfully requested.

Claim Rejection - 35 U.S.C. § 103(a)

Claims 1-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Provisional Patent Application No. 60/481,555—Crawford and U.S. Patent No. 6,386,973—Yoseloff.¹ This reason for rejection is respectfully traversed.

Applicant respectfully submits that when the scope and content of the asserted references is compared with the amended claims, it is apparent that the claimed invention would not have been obvious to one of ordinary skill in the art at the time the invention was made.

The Scope and Content of the Prior Art

The primary reference, Crawford, relates to a gaming system that selectively obscures a portion of the surface of each player's individual electronic display. Crawford specifically teaches that *both* the common cards and the particular player's confidential or "pocket" cards should be displayed on the player monitor, with the pocket cards shielded from view. [0012]. The problem addressed by Crawford is that of obscuring a pocket cards on an individual player monitor, while at the same time allowing display of

¹ Applicant reserves the right to challenge the prior art status of the Crawford application should an appeal be necessitated. Although referred to in subsequent patent applications, it appears that none of the relevant disclosure of the Crawford was published in any subsequent utility application.

common cards *on that same player monitor*. Crawford otherwise merely discloses a connected set of player monitors and the resulting system is in essence a group of Internet players seated next to each other, each focused intently on an individual screen. *See* Declaration of Brian Haveson, ¶ 12. Crawford specifically teaches that cards common to all players are displayed on *all* the individual screens. [0031], [0036]. In fact, the final sentence of the disclosure refers to “alternate embodiments,” yet specifically limits the disclosure of Crawford to systems where commonly shared information is displayed on each individual player’s screen, along with confidential information unique to each player. [0045].

The secondary reference, Yoseloff, is cited for the disclosure of a central display for displaying common cards. The Yoseloff patent is directed to an older style of gaming system in which a dealer deals physical cards and bets are made with physical chips or tokens. *See, e.g.,* Col. 7, ll. 39-47. There is an emphasis on the “live action” of a dealer and the physical cards, to which a single “virtual card” is added. Col. 7, l. 66 – Col. 8, l. 10. An embodiment is disclosed that has two separate individual monitor screens, both of which display the identical single common card; the two screens provide easier viewing from various angles. Col. 17, ll. 56-65. Yoseloff relates to a casino game that is not similar in terms of game play to a table game, and in particular is not similar to a poker table. *See* Declaration of Brian Haveson, ¶ 6 (attached).

The Differences Between the Prior Art and the Amended Claims

As explained in detail below, although Applicant respectfully submits that the combination of Crawford and Yoseloff is improper, for the sake of argument, even if the proposed combination is made, the resulting system would not include all of the limitations of claims 1, 19 and 21, as amended.

The Proposed Combination Does Not Disclose The Claimed Central Display

Claims 1, 19 and 21 have been amended to recite a single central display screen that displays *two or more* community cards visible to all the players. In the types of

games played using the game table of the present invention, a number of cards (or other game objects), at least two, are displayed on the center screen, often replicating the manner in which live table games are played. Yoseloff, on the other hand, simply discloses a screen visible to the players on which a single "wild" card is displayed. Col. 8, ll. 44-47. There is no suggestion in either reference to expand the number of cards displayed on the central display. Crawford focuses on displaying the community cards on each individual player screen and Yoseloff teaches revealing a single card. As seen in FIG. 1 of the disclosure of the present application, the present invention is directed to game tables that have a central screen capable of displaying two or more cards.

For this reason alone, claims 1, 19 and 21 should be allowed.

**The Proposed Combination Does Not Disclose
Game Function Buttons**

Claims 1, 19 and 21 have been amended to recite game function buttons. These buttons are described, for example, in paragraph [0019] (page 6 as filed) of the specification and an example is illustrated in FIG. 2. As explained above, Crawford focuses on the player screen and obscuring player cards, and is silent as to how game play is conducted, Yoseloff teaches using a live dealer and does not disclose electronic game play buttons since real cards and real chips are used. Claim 1 additionally recites game status indicators, another feature of the present invention neither taught nor suggested by the proposed combination.

For this additional reason, claims 1, 19 and 21 should be allowed.

**The Proposed Combination Does Not Disclose
Player Displays at or Below the Table Surface**

Claims 1, 19 and 21 have been amended to recite that each player display is at or beneath the surface of the table. As noted above, Crawford discloses player displays or screens, or devices such as PDA's that are placed in a group atop a surface. Yoseloff discloses a

center screen that must be flush with the surface of the table, but does not disclose or suggest player screens, much less disclose where they might be located.

For this additional reason, claims 1, 19 and 21 should be allowed.

The Proposed Combination of References is Improper

Although the combination of the references asserted in the Office Action would not replicate the claimed invention due to the above-described claim limitations not found in either reference, the combination is also inappropriate due to fundamental differences between the references themselves and the invention. As discussed above and set forth in the attached Declaration of Brian Haveson, there is a fundamental difference between a casino game and a table game such as poker. Yoseloff relates to the former and although Crawford is an automated table game, the teaching of Crawford is to incorporate the screens of Internet poker into a group of screens atop a table. Therefore, one of ordinary skill in the art would have had no motivation to add a center screen to Crawford, since the focus is on the player screen. In fact, Crawford affirmatively teaches away from the claimed invention. In paragraphs [0007]-[0011] Crawford provides a lengthy explanation of why players prefer fully electronic poker games that eliminate the dealer, while permitting the "human element" of player interaction that does not exist during Internet-based games. The game described in Crawford requires paying attention to the player screens and the human players, but never suggests that the center of the table is used for any purpose, e.g., betting, much less suggest an additional central display.

As noted recently by the Supreme Court in *KSR International Co. v. Teleflex, Inc.*, 550 U.S. ____ (2007) patent examiners "should be aware, of course, of the distortion caused by hindsight bias." (*KSR*, slip op. at 17). In this instance, a previously allowed set of claims now stands rejected over a combination of references selected in an attempt to show that all the elements of the claims existed in the prior art, which, under the long-standing law affirmed by *KSR*, is not an appropriate showing of obviousness.

The Claimed Invention Has Experienced Commercial Success

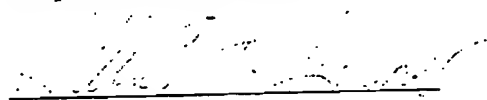
Finally, as set forth in MPEP § 716.03(b), commercial success is a relevant factor when considering the non-obviousness of a patent claim. Applicant attaches herewith the Declaration of Brian Haveson, which articulates the differences between the claimed invention and the prior art, and develops the nexus between the patentable features of the present invention and the commercial success of fully automated electronic poker tables that encompass these features.

It is therefore respectfully submitted that since the present invention is neither disclosed nor suggested by any prior art of record, that all the pending claims would not have been obvious.

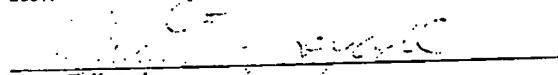
Conclusion

For all these reasons, it is respectfully submitted that the present application, including the amendments set forth above and the additional materials submitted herewith, is now in a condition to be allowed. Notice to this effect is earnestly solicited. As noted above, Applicant has requested a personal interview with the Examiner concerning this application and the Examiner is encouraged to contact the undersigned telephonically to arrange a date and time for such interview.

Respectfully submitted,


Albert T. Keyack
Registration No. 32,906
Attorney for Applicant
(215) 738-5925

I, Albert T. Keyack, Registration No. 32,906, hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 to facsimile number (571) 273-8300 on June 29, 2007.


Albert T. Keyack
Registration No. 32,906